

## **II. Proposed Amendments After Final**

Applicant respectfully requests entry and consideration of this proposed Amendment after final rejection (see Office Action mailed 06/16/06), which is believed to place the application and all of the claims as now set forth in the Listing of Claims into a condition for allowance. These Proposed Amendments After Final supersede the amendments proposed in all previously filed Requests for Reconsideration and proposed Amendments After Final.

### **A. Amendments to the Specification**

Please amend the specification as follows:

**Please replace paragraph [015] with the following amended paragraph:**

[015] Figure 3 is a side view of the preferred base of this invention, showing that it is preferably constructed ~~off~~ of a single extruded piece of material in the desired length.

**Please replace paragraph [026] with the following amended paragraph:**

[026] As best seen in Figs. 1 and 4, holes **30** are placed through the base **10** in the gap area **28** at regular intervals along the entire length of the base to facilitate attachment of the device to the perch location (not shown), for example. Plainly, the holes **30** are only one of innumerable ways in which the attachment can be facilitated. Attachment can be ~~my~~ by any mechanical means such as screw, bolts, staples or nails, or any other attachment means such as adhesives, or a combination of them.

**Please replace paragraph [0029] with the following amended paragraph:**

[029] In the preferred embodiment, the braided elements **12a** and **12b** are comprised of elongate individual strands **32** that are braided in a length-wise substantially curvilinear fashion rather than a mesh comprised of separate warp and weft strands that are arranged in a substantially perpendicular relationship to one another. The braided elements **12a** and **12b** comprise individual strands **32** which can be of any suitable conductive material. In some embodiments, the individual strands **32** could include some conductive strands and some not (for example, if a few strands of a very strong, albeit non-conductive material might be desired to add even more

strength and durability). While flat braids are preferred, non-flat braided material could also be used. Also, while stainless steel is preferred, copper or zinc plated copper are just two examples of many other conductive materials that could be substituted. A suitable commercially available braid is that provided by Hamilton Products, Sherburne NY ([www.hamprods.com](http://www.hamprods.com)). The size of the braid, the number of strands, the size of the individual strands and other specifications for the braided elements are matters of choice depending on the application for the device. However, a 3/8 inch wide braid having 48 strands, and capable of handling up to 40 nominal amperes of current has proven effective for a wide range of applications. Also, although the preferred braided elements **12a** and **12b** have a substantially flat cross-section configuration, braided elements having a substantially oblong, round, rectilinear or even triangular (or any other shape) cross-sectional configuration could also be used.

**Please replace paragraph [033] with the following amended paragraph:**

[033] The device of this invention can be attached to a just about any surface where deterrence is desired -- from flat horizontal surfaces (such as window ledges, building edges and billboard tops where some birds like to perch and roost), to vertical or skewed surfaces (such as fence rails, posts or other surfaces where the device might be used to deter farm animals, vermin or varmints), to radically curved surfaces (such as on outdoor artwork and statues to deter birds from perching and defacing the structure with their droppings). The device can also easily accommodate planar and non-planar angles. Because the device can be radically bent in a non-planar way, most non-planar surface transitions can be accommodated simply by bending the device. For planar surface transitions, the base **10** and braided elements **12a** and **12b** can be easily cut through at any angle using conventional means so that adjacent ends of the cut pieces can be brought together to follow the application topography. The adjacent cut ends of the braided elements **12a** and **12b** can be reattached to recreate the circuit by any conventional means such as flexible, crimpable connector pieces or soldering, as only two of many examples.

## **B. Amendment to the Claims**

Please amend the claims as shown in the following Listing of Claims. The deleted claims were not deleted for the purposes of allowability. This listing of the claims supersedes all prior listings.